

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

POWERBAHN, LLC,

Plaintiff,

v.

FOUNDATION FITNESS LLC, WAHOO
FITNESS, LLC, WAHOO FITNESS
HOLDINGS, and PATRICK WARNER,

Defendants.

Case No. 1:19-cv-01678-AT

JURY TRIAL DEMANDED

STIPULATION OF DISMISSAL OF COUNTS 5-12 AND 15-16 ONLY

Plaintiff PowerBahn, LLC (“Plaintiff”) and Defendants Foundation Fitness LLC, Wahoo Fitness, LLC, Wahoo Fitness Holdings, and Patrick Warner (“Defendants,” and collectively, with Plaintiff, the “Parties”) hereby stipulate to the dismissal of Counts 5-12 and 15-16 of Plaintiffs’ Complaint, and Count I of Defendants’ Counterclaims, with each party bearing its own costs, expenses, and attorney fees with respect to such Counts.

Count 13 (False Advertising under the Lanham Act) and Count 14 (Reverse Passing Off under the Lanham Act), as well as Count II of Defendants’ counterclaims, remain pending in this action.

Respectfully submitted this 28th day of February, 2020.

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